

MANDATE

S.D.N.Y.-NYC
08-cv-1171
Wood, C.J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 2nd day of May, two thousand eight,

Present:

Hon. Chester J. Straub,
Hon. Reena Raggi,
Circuit Judges,
Hon. Sidney H. Stein,
District Judge.



Vera Elizabeth Surles,
Plaintiff-Appellant,

08-1020-cv

Martha Stewart,
Defendant-Appellee.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. See *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT
Catherine O'Hagan Wolfe, Clerk

By: Jeanne D. May

* The Honorable Sidney H. Stein, of the United States District Court for the Southern District of New York, sitting by designation.

SAC:jm

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by
DEPUTY CLERK

Mandate: 6/10/08